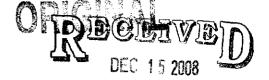


## STATE OF ILLINOIS



## ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission CONSUMER SERVICES DIVISION SPRINGFIELD OFFICE

Mr. Edward S. Kindle

-Vs. -

Docket 08-0581

Central Illinois Service Company d/b/a AmerenCIPS

## MOTION NOT TO DIMISS SUBJECT MATTER JURISDICTION

Now comes Complainant, Edward Kindle, respectively requesting my docketed hearing be heard on February 26, 2009 as previously scheduled.

On May 23, 2008 AmerenCIPS acknowledged Illinois Commerce Commission and its' jurisdiction by responding to the ICC Complaint Response, Compliant ID 2008-08421.

- 1. AmerenCIPS admitted to running overhead lines across my property.
- 2. AmerenCIPS misled ICC by stating there is an exiting right-of-way dated 6/2/1966. In fact, there is "No exiting right-of-way grant" to cover the overhead facilities on Mr. Kindle's property.
- 3. AmerenCIPS stated there was no grant obtained to tap on the overhead facility to serve an adjacent property owner.

4. Since AmerneCIPS recognized and acknowledged Illinois Commerce Commission and its' authority by responding to the complaint as in the May 23<sup>rd</sup> complaint. Since AmerenCIPS recognized my complaint with ICC put them in the position to be heard by the Illinois Commerce Commission Jurisdiction.

Respectfully submitted,

Edward S. Kindle

Edwardskulle

Dated December 10, 2008

December 12, 2008

Honorable Judge Lisa M. Tapia, Administrative Law 527 E. Capital Ave.
Springfield, Illinois 62701

Docket 08-0581

Dear Judge:

This letter comes to inform you that I have sent Service Certificate of Notice of the matter to not dismiss subject matter jurisdiction, to the parties listed below. See the attachment of eDocket list.

Edward S. Kindle 406 N. Lewis Ave Waukegan. Illinois 60085 ICC Case: Service List Page 1 of 2

Erika Dominick, Paralegal Legal Dept. Ameren Services Company 1901 Chouteau Ave. PO Box 66149 St. Louis, MO 63166-6149 E-Mail: edominick@ameren.com

Miscellaneous Added to Service List on 10/20/2008

Edward C. Fitzhenry Ameren Services Company PO Box 66149 (M/C 1310) 1901 Chouteau Ave. St. Louis, MO 63166-6149 E-Mail: efitzhenry@ameren.com

Intervenor and Party of Record Added to Service List on 10/20/2008

Edward Kindle 406 N. Lewis Ave. Waukegan, IL 60085

Petitioner and Party of Record Added to Service List on 10/17/2008

Steven R. Sullivan, Sr. Vice President Central Illinois Public Service Company d/b/a AmerenCIPS 1901 Chouteau Ave. PO Box 66149, MC 1300 St. Louis, MO 63166-6149 E-Mail: srsullivan@ameren.com

Respondent and Party of Record Added to Service List on 10/17/2008

Lisa M. Tapia, Administrative Law Judge Illinois Commerce Commission 527 E. Captiol Ave.

http://www.icc.illinois.g... 12/12/2008

ICC Case: Service List Page 2 of 2

Springfield, IL 62701

E-Mail: Itapia@icc.illinois.gov

Miscellaneous and Party of Record Added to Service List on 10/20/2008

Matthew R. Tomc Ameren Services Company PO Box 66149, MC 1310 1901 Chouteau Ave. St. Louis, MO 63166 E-Mail: mtomc@ameren.com

Intervenor and Party of Record Added to Service List on 10/20/2008

Jackie K. Voiles Central Illinois Public Service Company d/b/a AmerenCIPS 607 E. Adams St. Springfield, IL 62739 E-Mail: jvoiles@ameren.com

Respondent and Party of Record Added to Service List on 10/17/2008